Lower Passaic River Restoration Project

Project Delivery Team (PDT) Meeting
June 2, 2004 at 10 AM – 2 PM
<Location: >

draft: 5/18/04

10:00 AM – 12:00 PM Presentation on Ashtabula River Partnership

Joe Heimbuch and Bill Potter of De Maximis, Inc. are the technical liaisons for the PRP group that has agreed to fund the CERCLA portion of the Lower Passaic River study. They will be making a presentation on their experiences working with another multi-agency and PRP-group team overseeing the remediation and restoration of the Ashtabula River in Ohio. While the Ashtabula is not a WRDA-CERCLA-NRD project, it could still be instructive as an example of how a group of federal/state agencies and PRPs have worked together to achieve consensus.

Attendees for this part of the presentation will include EPA, USACE, NJDOT, NJDEP, PVSC, Malcolm Pirnie, De Maximis, Inc.

12:00 – 12:30 PM Break to get lunch (bring back to room for working lunch)

12:30 – 2:00 PM Agency-Only PDT Meeting

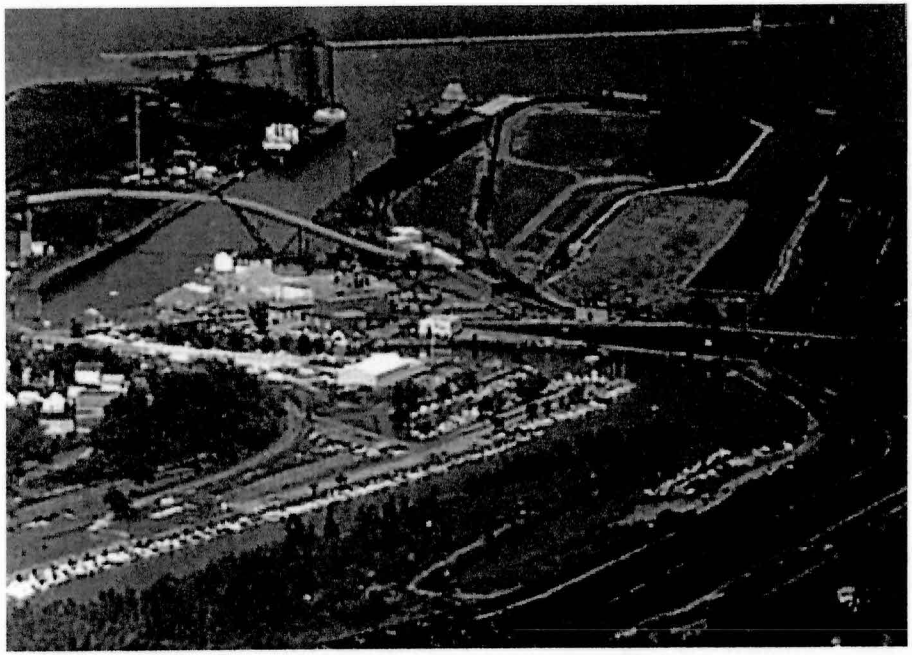
- Historical data evaluation (next steps)
- 5/20 Restoration opportunities workshop (report out & next steps)
- Summer/Fall 04 field work planning
- 6/9 Passaic Symposium (last minute to-dos?)
- Funding update
- <other issues?>

Attendees for this part of the meeting will include EPA, USACE, NJDOT, NJDEP, Malcolm Pirnie.

Partnership of Public, Industry & Government to Resolve Environmental and Navigational Issues

Environmental

- **PCBs**
- **PAHs**



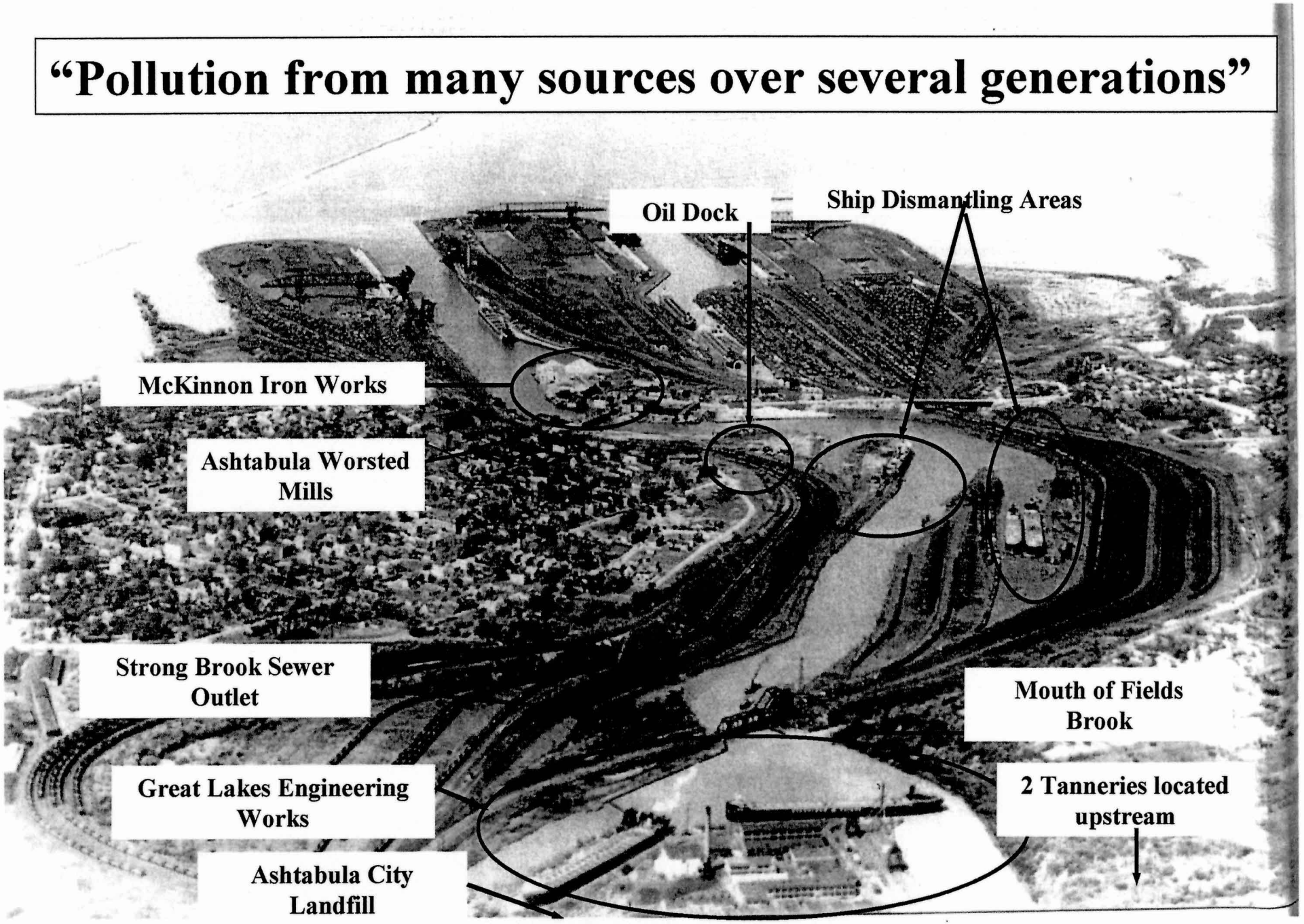
Navigational

- **Commercial Trade**
- **Recreational Boating**

ASHTABULA RIVER & HARBOR

ASHTABULA, OHIO

"Pollution from many sources over several generations"



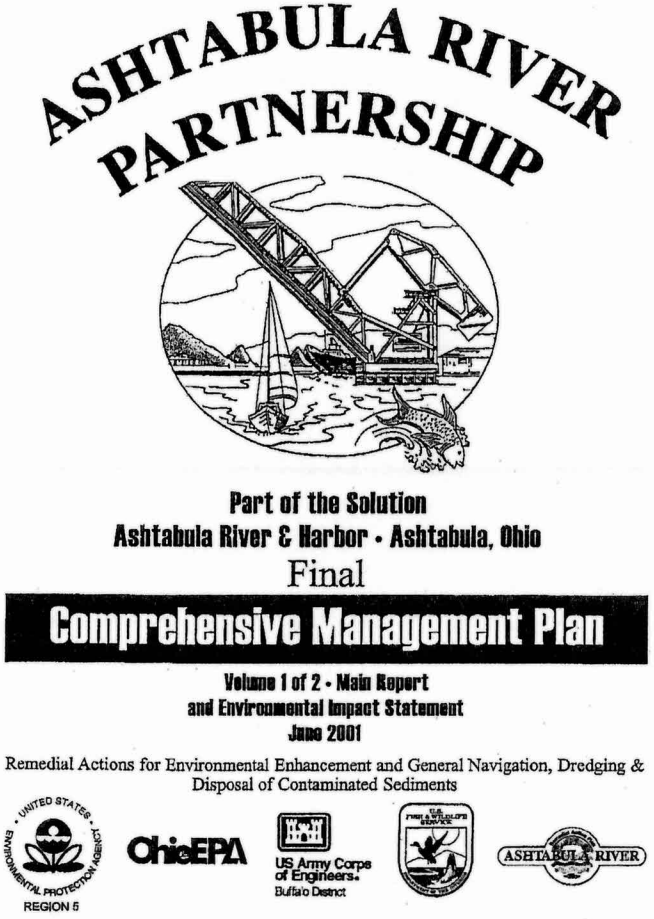
PROJECT HISTORY

- **1985** Designated "**Area of Concern**" by International Joint Commission ("IJC")
- **1986** USEPA Considers Ashtabula River an Operable Unit of Fields Brook Superfund Site
- **1988** Ashtabula River Remedial Action Plan ("RAP") Advisory Council is formed;
- **1991** IJC approves Stage I report from the Ashtabula River RAP;
- **1993** Ashtabula River Investigation Study completed;
- **1994** USEPA, USACE & Congressional Representatives introduce the "**Partnership**" concept;
- **1994** USACE's Water Resources Development Act Authority

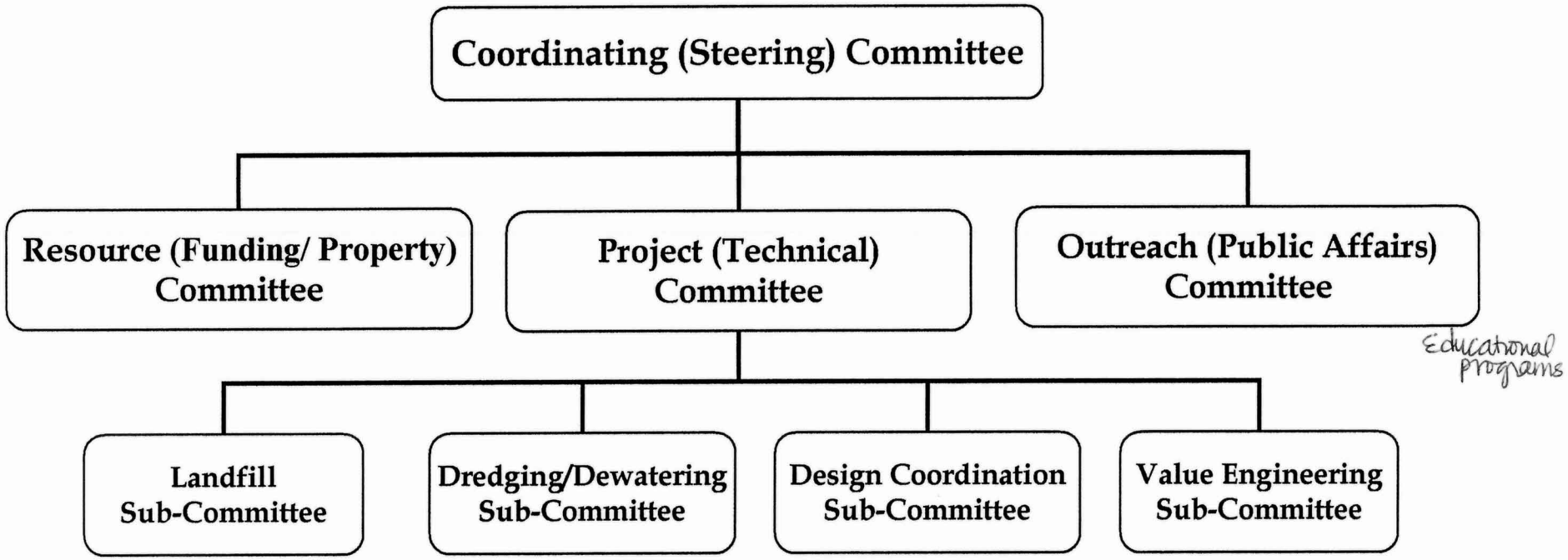
PROJECT HISTORY

- **1994 Ashtabula River Partnership is formed**...over 50 partners/stakeholders including USEPA, OEPA USFWS, USACE, Local Governments, Ashtabula City Port Authority and the Ashtabula River Cooperation Group II.

- **2001 Final Comprehensive Management Plan ("CMP")** is issued and documents the investigation and feasibility study including risk analyses, alternative evaluations, environmental impact statement, value engineering, community support and remedy selection.



Ashtabula River Partnership
-Organization-



Process Guidance / Model & Schedule

National Environmental Policy Act (NEPA)
& U.S. Army Corps of Engineers Policies:

• Scoping	1995
• Draft Comprehensive Management Plan	1999
• Final Comprehensive Management Plan	2001
• Design / Plans & Specifications	2005
• Project Implementation	2005
• Project Completed	2009

Ashtabula River Partnership
-Challenges-

- Unfamiliar Process
- Multiple Partners = Multiple Needs
- Non-Technical and Inexperienced Participants
- Third Party – U.S. Army Corps of Engineers - Performing Work

when do private parties get the release

Ashtabula River Partnership
-Benefits-

Community

- Increased commercial shipping
- Less shipping costs -full loads
- Increased recreational boating and fishing
- Increased tourist revenues
- Expedited project
- Shared costs

Government

- Significant removal of contaminant mass
- Acceptable human health & ecological risks
- Avoidance of litigation
- Reduced Transactional Costs
- Expedited Project
- Shared costs

Industry

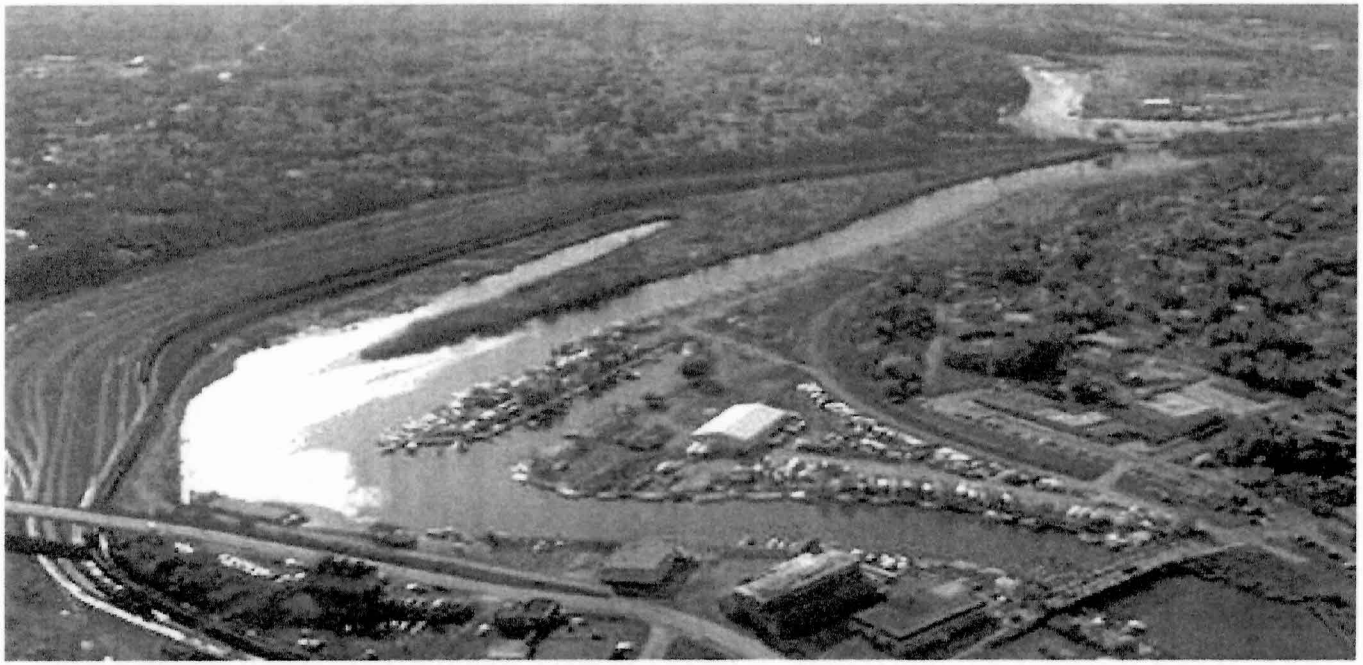
- Release from environmental liabilities
- Achievable project goals
- Avoidance of litigation
- Reduced Transactional Costs
- Expedited Project
- Shared Costs

Partnership
What a Concept!

- Partnership to resolve wide range of problems…
- Partners must "give and take"…
- Thought of failure forces success…

Remedy Selection

"The Partnership Concept At Work"



PROJECT AREA

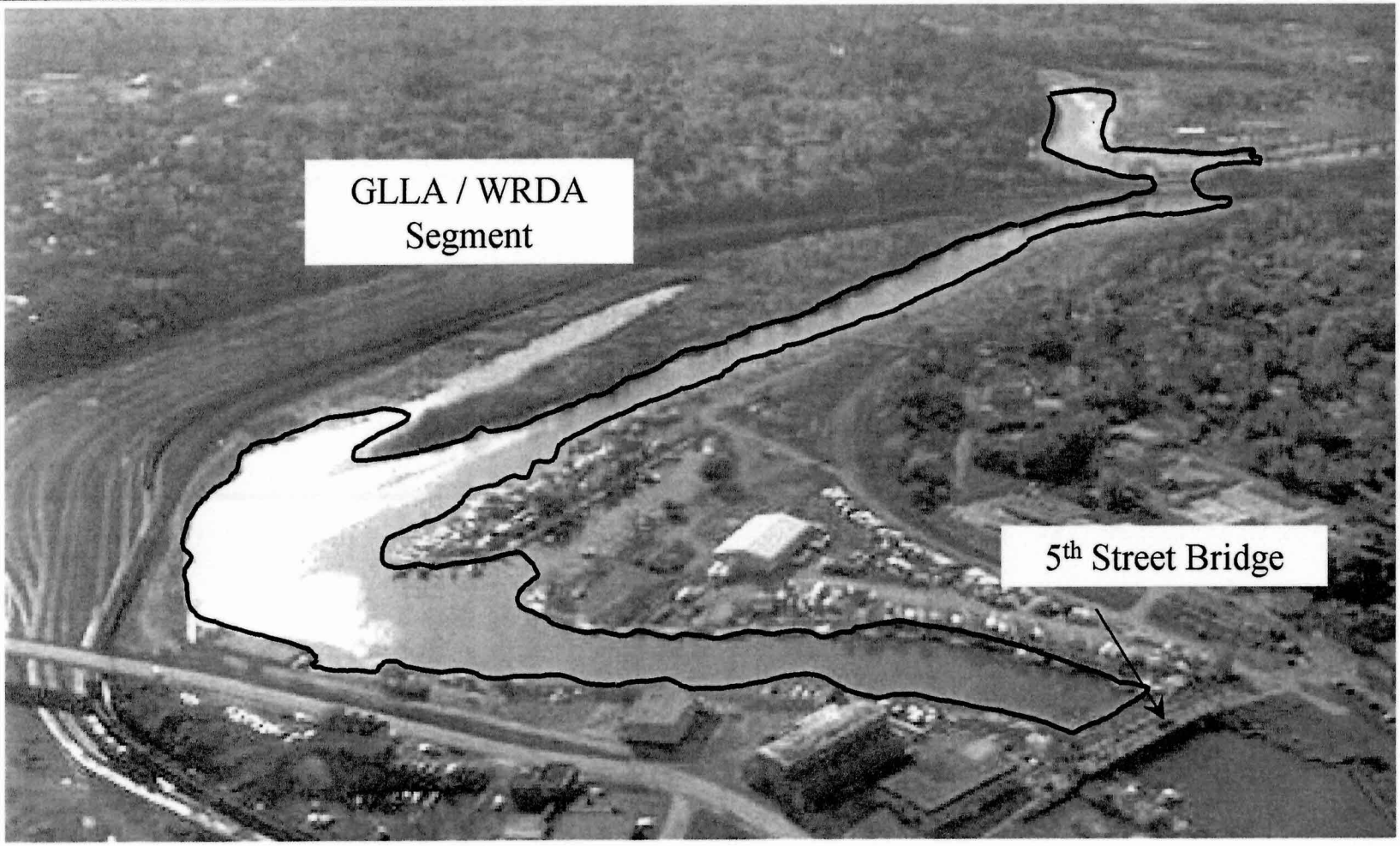
The Ashtabula River **Project Area** was determined based upon the following:

- Extensive sampling and analyses of River sediments; and
- US Army Corps of Engineers established dredge limits for commercial navigation.

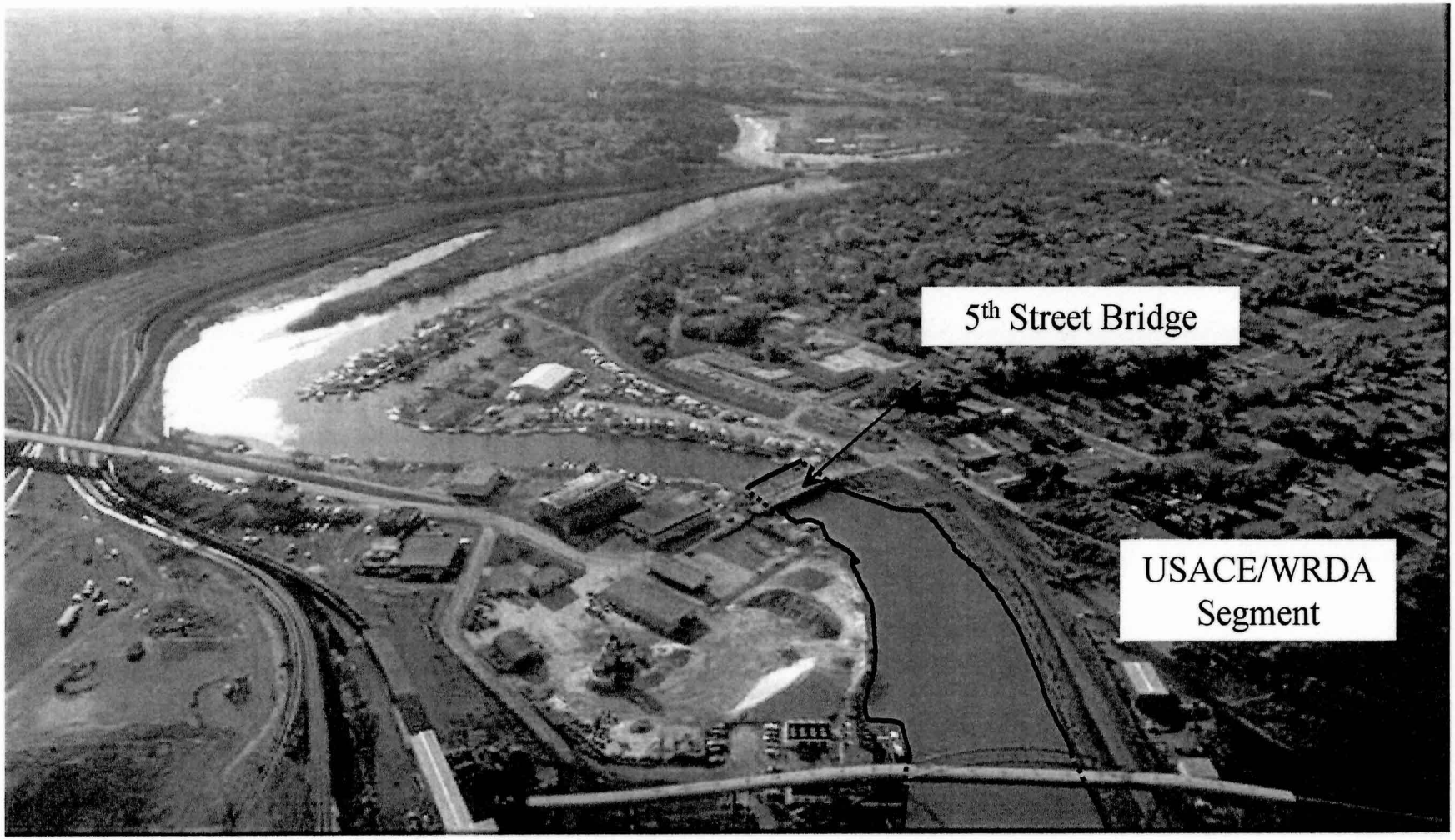
The Ashtabula River **Project Area** was further delineated into 2 segments:

- **Upstream (or south) of the 5th Street Bridge**: The portion of the Ashtabula River Project Area extending from the 5th Street Bridge southward past the Upper Turning Basin;
- **Downstream (or north) of the 5th Street Bridge**: The portion of the Ashtabula River Project Area extending northward approximately 1,000 feet from the 5th Street Bridge.

PROJECT AREA
- GLLA / WRDA 312 Segment -



PROJECT AREA
- USACE/WRDA O & M Segment -



PLAN FORMULATION
- Project Objectives -

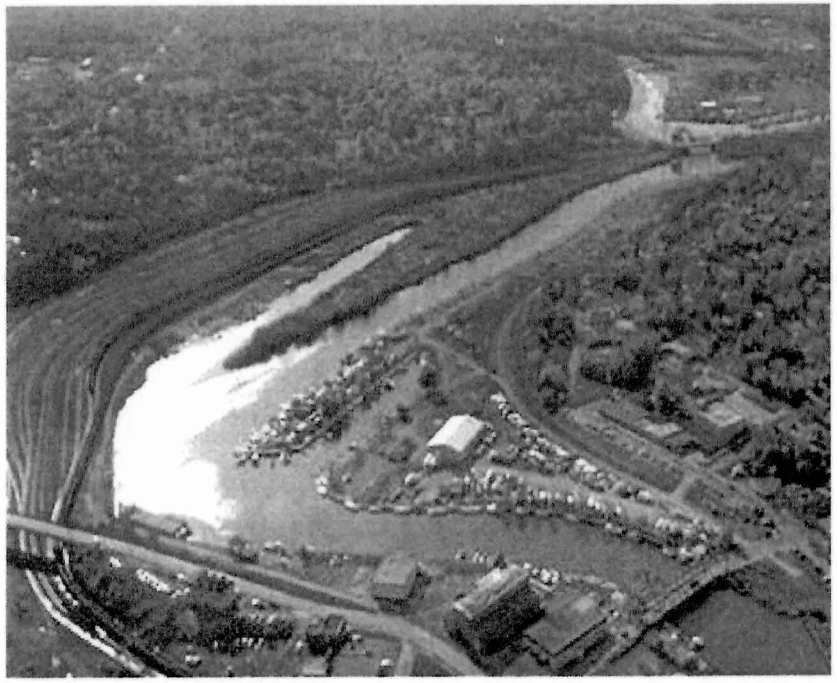
Remediate a Great Lakes Basin "Area of Concern" and a potential CERCLA Operable Unit.

- ***Reduce*** human health and ecological risks to acceptable levels;
- ***Improve*** the chemical, physical and biological integrity of the ecosystem;
- ***Provide*** sufficient water depth to support commercial and recreational boating;
- ***Contain*** the removed, contaminated sediments in an upland disposal facility that is dedicated and permitted for Ashtabula River sediments; and
- ***As a result provide a revitalized Ashtabula river system to the community of Northeast Ohio.***

PROBLEM IDENTIFICATION
- Sediment Conditions -

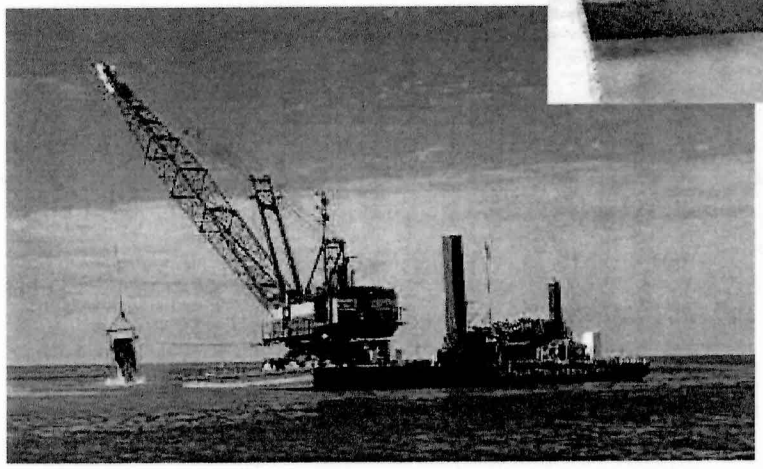
Primary Contaminants of Concern are:

- Polychlorinated Biphenyls ("PCBs");
- Polyaromatic Hydrocarbons ("PAHs");
- Metals (Cadmium, Mercury, Lead and Zinc);
- Chlorinated Organic Compounds; and
- Radionuclides (Uranium, Radium and Thorium). above background



PLAN FORMULATION
- General Considerations -

Elimination of major sources of chemical contamination – Fields Brook, shipbuilding, municipal discharges, etc.



Sediment removal using environmental dredging techniques

Dewatering/disposal of contaminated sediments

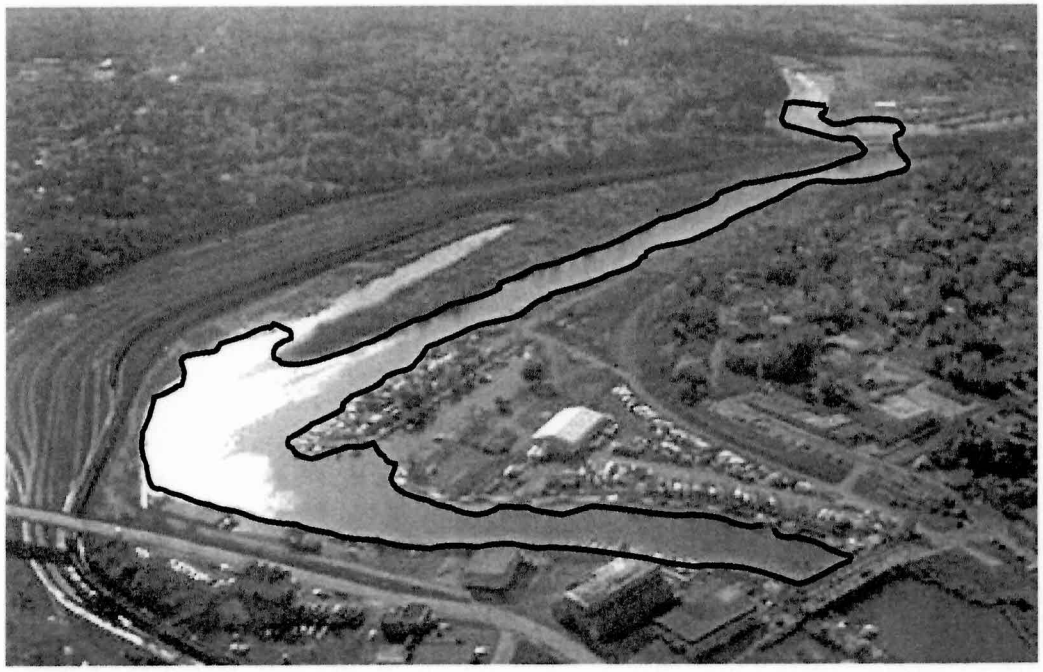
PLAN FORMULATION
- Project Components -

- Environmental Dredging;
- Transportation;
- Dewatering;
- Upland disposal facility;
- Engineered Cap
- Monitoring during operations; and
- Operation and Maintenance of an upland disposal facility.

PLAN FORMULATION
- Guidelines for Dredging Scenarios -

- Cross sections every 100 ft;
- Interpolation of PCB data;
- Isoconcentration lines plotted;
- Cross sections evaluated; and
- Dredging scenarios (cutlines) developed using:

  USACE Waterways Experiment Station's 3 dimensional model…



ALTERNATIVES EVALUATION
- Primary Alternatives Considered -

1. No Action
2. In-River Engineered Cap
3. Dredging Technology, Natural Re-Sedimentation and Upland Disposal facility

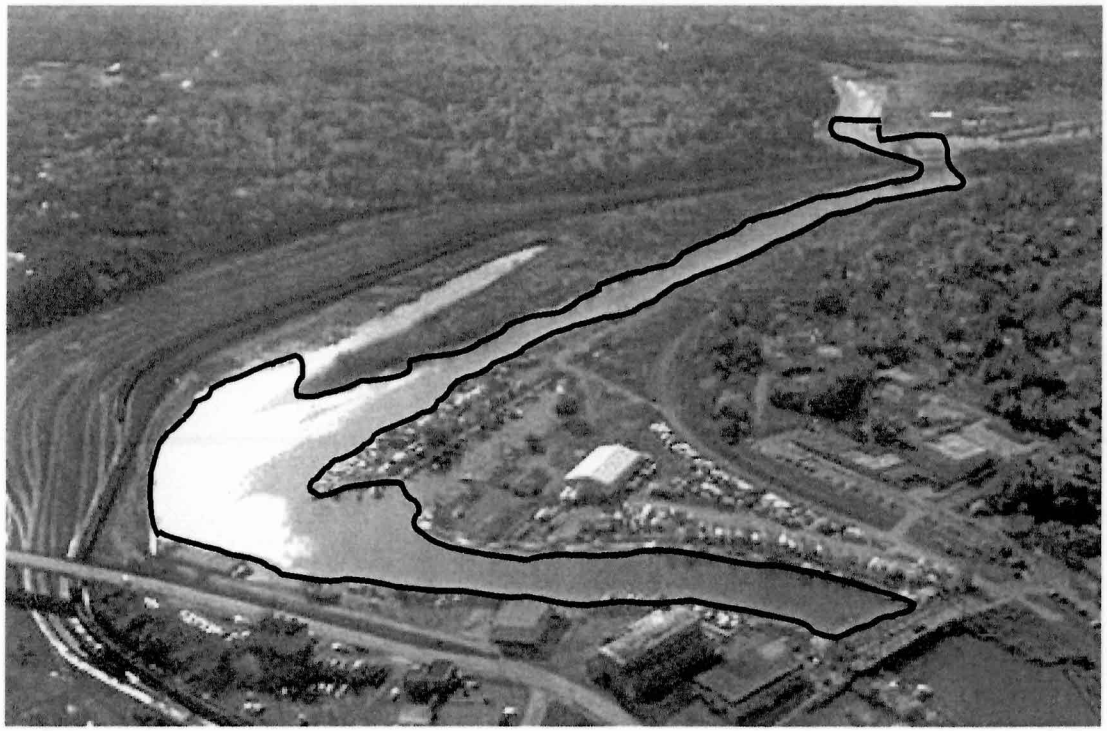
    - 3-A Shallow Dredging Scenario
    - 3-B Deep Dredging Scenario
    - 3-C Bank to Bank to Bedrock Dredging Scenario

ALTERNATIVES EVALUATION
- Alternate Assessment Considerations -

- Short- and long- term effects on human health and environment;
- Quantities of sediment dredged;
- PCB mass removed;
- Risk reduction;
- Bulkhead stability;
- Implementability;
- Scour and deposition potential;
- Beneficial uses;
- Costs; and
- Disposal facility siting.

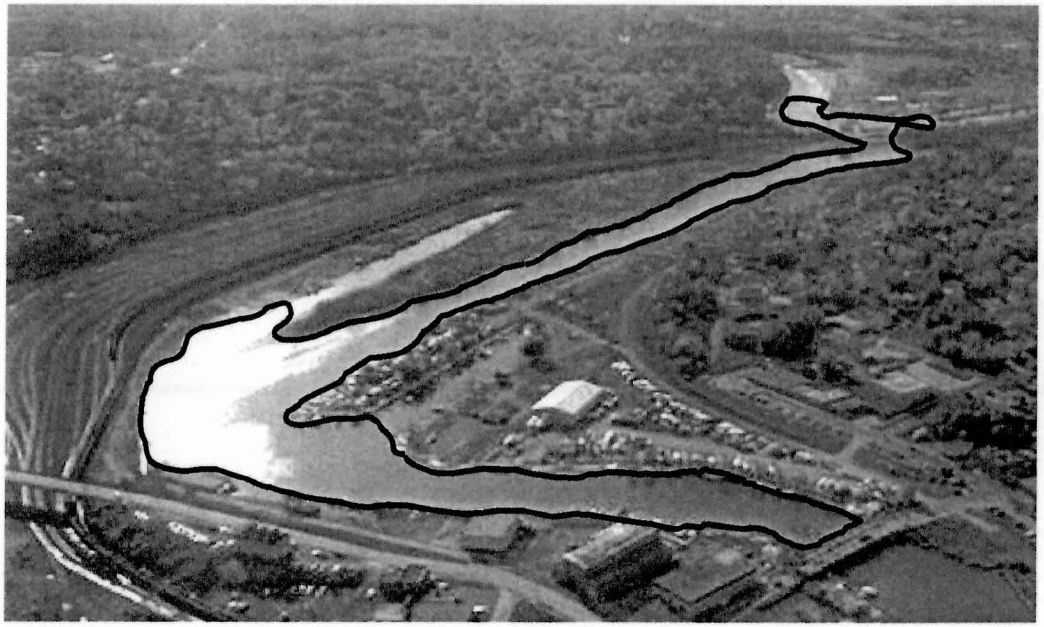
ALTERNATIVES EVALUATION
- Shallow Dredge Scenario -

- 477,00 cubic yards removed;
- 75% of PCB mass removed;
- 50 ppm + PCBs left behind;
- 5,700 linear feet of bulkheads potentially impacted; and
- $37.5 million estimated cost.



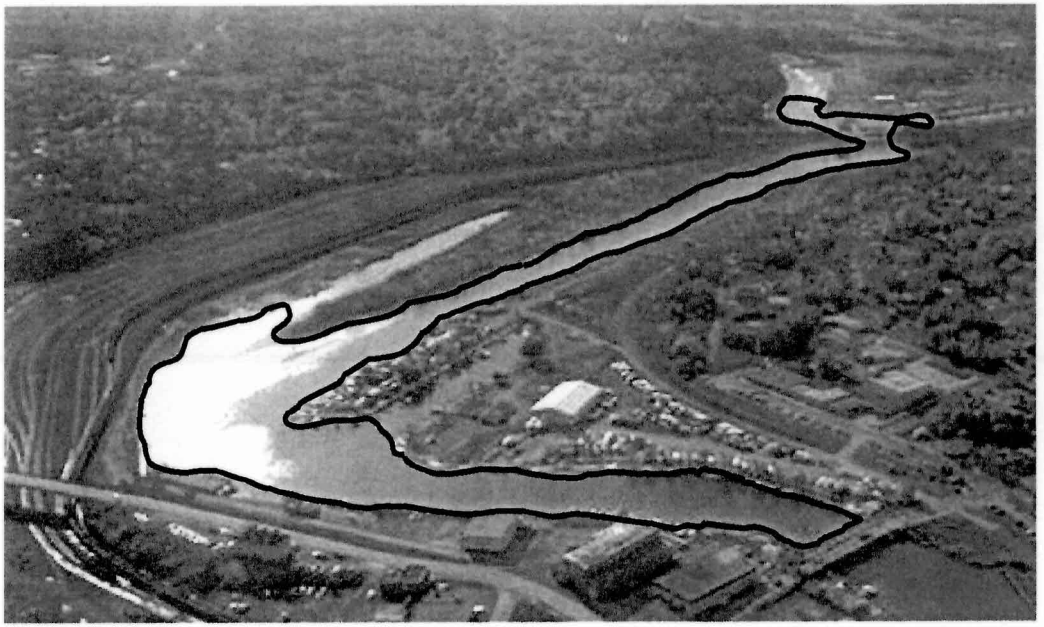
ALTERNATIVES EVALUATION
- Deep Dredge Scenario -

- 581,000 cubic yards removed;
- 82% of PCB mass removed;
- No 50 ppm + PCBs left behind;
- 7,500 linear feet of bulkheads potentially impacted; and
- $41.9 million estimated cost.

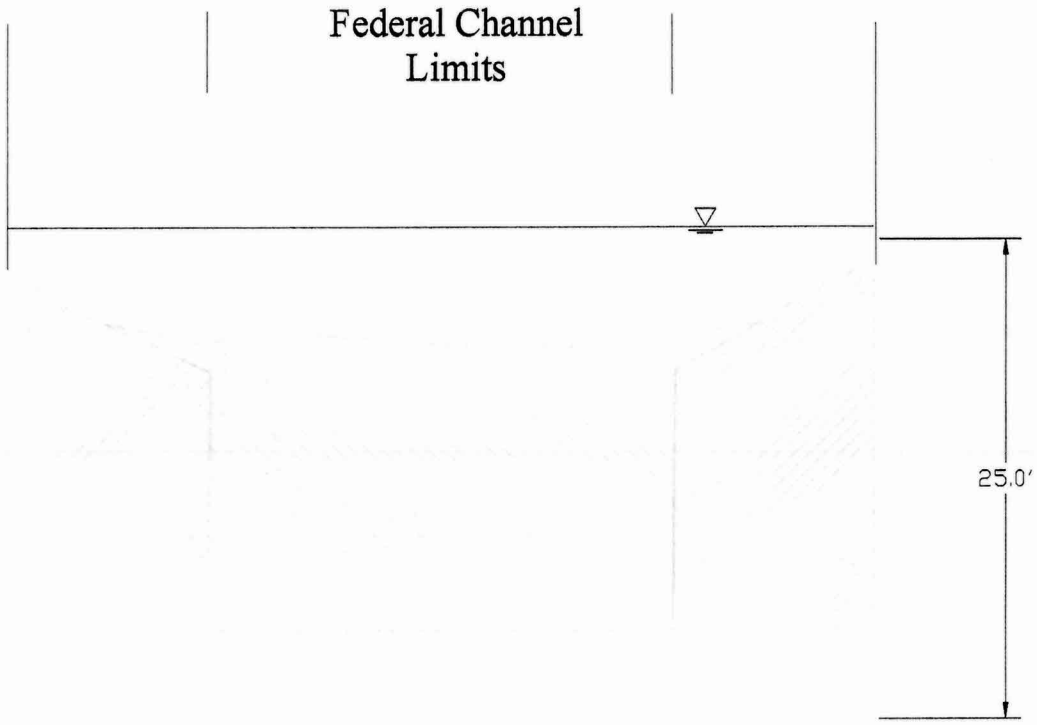


ALTERNATIVES EVALUATION
- Bank to Bank to Bedrock -

- 1,035,000 cubic yards removed;
- 98% of PCB mass removed;
- No 50 ppm + PCBs left behind;
- 21,000 linear feet of bulkheads potentially impacted; and
- $57.5 million estimated cost.



ALTERNATIVES EVALUATION
- Natural Re-Sedimentation -



Future Dredging

PROJECT PLAN - 2001

1. Contaminated Sediment Removal
   - Deep Dredging Scenario using mechanical dredge technique*;
   - Barge transfer of spoils to dewatering facility; and
   - Natural Re-Sedimentation.

2. Transfer/Dewatering
   - River shoreline transfer/dewatering facility*;
   - Passive sediment dewatering*;
   - Multi-media carbon filtration treatment; and
   - Truck transport of dewatered sediment to upland disposal facility*.

3. Disposal
   - Upland TSCA and non-TSCA landfills at State Road site*.

*Changed by virtue of Value Engineering Exercises.

FIELDS BROOK/ASHTABULA RIVER TASKS COST SUMMARY

Task	Total Cost	Paid By	Amount	Percent
Fields Brook Source Control	$30M	ARCG II	$30M	100%
Fields Brook SOU/FWA	$50M	ARCG II	$50M	100%
Ashtabula River Investigation Study	$2.1M	ARCG II	$2.1M	100%
Ashtabula River CMP Development	$4.7M	USACE	$2.0M	42%
		USEPA	$1.2M	26%
		ARCG II	$0.8M	16%
		Ohio EPA	$0.4M	9%
		Local	$0.3M	7%
Ashtabula River Cleanup (GLLA or WRDA 312 Project)	$41M	USEPA	$26.6M	65%
		ARCG II	$7.4M	18%
		Ohio EPA	$7.0M	17%
Ashtabula River Cleanup (WRDA / O&M Project)	$8.0M	USACE	$8.0M	100%

CERCLA/WRDA
90.3 ARCG II
27.8 EPA
10 USACE
7.4 Ohio
0.3 local
135.5

GLLA / WRDA
USEPA / USACE

depending where funding comes from

WRDA
USACE 10
USEPA 27.8 = 43.7
ARCG II ~~8.2~~ 8.2
Ohio 7.4

ASHTABULA RIVER PARTNERSHIP

Background

The lower Ashtabula River and Harbor was designated an Area of Concern (AOC) in 1985 by the International Joint Commission (IJC), characterizing it as a area with impaired beneficial uses and environmental degradation. Along with such designation, a Remedial Action Plan (RAP) for restoring beneficial uses is to be developed for each AOC. Stage One of the RAP for Ashtabula was completed by the Ashtabula RAP Advisory Council and Ohio EPA in 1991, and approved by the IJC. Contaminated sediments in the Ashtabula River and Harbor contributed to a fish consumption advisory, reduced recreational boating and commercial shipping, habitat loss, and biota impacts. Removal of these sediments will be the key to environmental remediation and beneficial use restoration.

Only limited dredging of the Ashtabula River has been possible due to the contamination that precludes open water disposal. Interim dredging of some top layers of sediment in the Ashtabula River occurred in 1993; however, a permanent location for these dredge spoils needs to be confirmed. Outer Harbor sediments, although less contaminated, may require confined disposal in the future. U.S. Army Corps of Engineers (USACE), with the authority for maintaining the navigation channel, is considering building a confined disposal facility for housing harbor sediments.

Additionally, contaminated sediment disposal is an issue at Fields Brook, an active Superfund site within AOC. Fields Brook is a tributary of the Ashtabula River, and is heavily polluted and considered a source of downstream contamination. The Superfund program is considering sediment remediation alternatives and is encountering similar contaminated sediment disposal issues.

Realizing these common objectives, the RAP Advisory Council convened a meeting in January 1994 to discuss forming a partnership to be made up of the diverse community interested in Ashtabula River and Harbor sediment remediation. The possibility of a cooperative project to address common sediment disposal issues could provide a more comprehensive and efficient solution.

ASHTABULA RIVER PARTNERSHIP

CHARTER

The Ashtabula River Partnership is dedicated to the goal of exploring how to effectively remediate the contaminated sediments in the Ashtabula River and Harbor. To achieve this goal, the Partnership has developed this Charter which outlines the premise of the Partnership and indicates the commitment of all of the involved Partners to achieve the common purpose of remediation.

Our goal is to look beyond traditional approaches to determine a comprehensive solution for the impairment of beneficial uses posed by the contaminated sediments not suitable for open lake disposal.

The signatories plan to develop a consensus-based partnership that will do the following:

- Define contaminated sediments to be addressed. This will be done utilizing the existing data on sediment contamination and any additional data that may be determined necessary.

- Develop a detailed plan for sediment remediation. To devise this plan, the Partnership will explore the various potential options for remediation and sediment disposal and advance an environmentally sound and efficient solution.

- Identify resource needs for implementation. A project of this scope is expansive and requires significant resources to realize. No one party can reasonably sponsor the entire project.

- Generate a timeline of milestones and activities. This timeline will provide a framework for the Partnership and allow the Partners to evaluate the effectiveness of the project.

The following, by signing this Charter, agree to volunteer their time, resources, knowledge, technical skills, and best efforts, to the extent of their ability, to forward the goals of the project. This commitment will include attending meetings, participating in document development, and planning for the implementation of the ultimate remediation strategy. This Charter is a public statement of intent designed to foster good faith among the parties; it is understood and agreed by the undersigned that this Charter shall not legally bind anyone or any organization to this or any other agreement. This agreement does not limit or in any way restrict the statutory or contractual obligations of the signatories in carrying out their private and/or public responsibilities.

Charter Member Signature: _____

Type or Print Name: _____ Date: _____

Organization: _____

ASHTABULA RIVER PARTNERSHIP

Committee Goal Statements

1. **Coordinating Committee**

The Coordinating Committee is a group of representative Partners which meets on a monthly basis. The functions of the Coordinating Committee include:

- review and approval of the work of standing work groups,
- setting and monitoring of schedules of the work groups for the sake both of timeliness and of coordination with other Partnership activities,
- coordination of activities of the work groups and serving as a point of contact for the transfer of information between the work groups,
- rendering day-to-day decisions regarding the operations of the work groups an of the Partnership in general, and
- reporting to the full Partnership on a quarterly basis to provide information and to get approval for final work group projects.

2. **Siting Committee**

The purpose of the Siting Committee is to locate an appropriate sites (or sites) for a multi-use upland disposal facility to contain the dredged contaminated sediments. The committee will accomplish this goal by undertaking the following tasks:

- review and revision of criteria for evaluating candidate sites,
- review of historical information on candidate sites (e.g., USACE 1987 EIS),
- identification of new candidate sites,
- evaluation of all candidate sites according to established criteria,
- selection of the disposal site and reporting of the selection process to the Partnership in a manner commensurate with the USACE EIS process.

3. **Project Committee**

The purpose of this committee is to develop the dredging project plan. This will involve several tasks, such as determining the scope of the project and the design criteria for a disposal facility.

The initial task of the Project Committee is to generate sediment volume data to be used in generating a series of volume estimates for designing the dredging project(s):

- review of existing sediment volume information,
- evaluation of existing volume data sufficiency and proposing additional volume estimate investigation,
- initiation of any supplemental volume investigation,
- generation of volume estimate(s) for distinct reaches and depths within the project area and reporting to the Partnership in terms commensurate with the USACE EIS process.

This committee will also develop design criteria for any disposal facility:

- determination of applicable federal, state, and local construction and design requirements,
- characterization of sediment for determining disposal design criteria and disposal options (e.g., TSCA, RCRA),
- generation of final design criteria for a multi-use disposal facility and reporting to the Partnership in terms commensurate with the USACE EIS process.

4. **Outreach Committee**

The purpose of this committee is to provide information to the community and to the partners, as well as to recruit new members:

- creation of potential partners list,
- development of strategies for community/partnership relations,
- forwarding facts sheets to Partnership mailing list,
- reporting to Partnership on a quarterly basis.

5. **Resources Committee**

The purpose of this committee is to develop the resources necessary to implement the Partnership project. Resources include services, equipment, land, as well as short- and long-term funding:

- development of a list of projects or tasks requiring funding (feedback from other committees),
- development of a budge and list of resources needed for each project or task,
- development of an asset-management strategy for the Partnership (e.g., bank account, trust fund, 501(c)(3) status),
- development of a plan for obtaining needed resources and funds,
- reporting to Coordinating Committee.

March 9,1995 rev. 0

ASHTABULA RIVER PARTNERSHIP

BYLAWS

Article 1 - Name and Purpose

This organization will be known as the Ashtabula River Partnership. The Partnership has been formed for the purpose of exploring how to effectively remediate the contaminated sediments in the Ashtabula River and Harbor. The Partnership will look beyond traditional approaches to determine a comprehensive solution for the impairment of beneficial uses posed by the contaminated sediments not suitable for open lake disposal.

Article 2 - Membership

2.1 Composition

The Ashtabula River Partnership, hereinafter referred to as the "Partnership," shall be composed of representatives who have a common interest in accomplishing the goal of the Partnership as defined in its Charter. Signing the charter is a condition of membership.

2.2 Resignations

Shall be written and acknowledged for documentation in the minutes at the next regularly scheduled Partnership meeting.

Article 3 - Leadership

3.1 General Powers

The Partnership shall be managed by the Coordinating Committee.

3.2 Leadership

The Coordinating Committee of the Partnership shall be the Standing Committee Chairs, and/or representatives from Ohio EPA, US EPA, Ohio 19th District Congressional office,

US Army Corps of Engineers, Ashtabula River Remedial Action Plan Council, and other individuals as agreed by the membership and shall be limited to fifteen (15) active members. (An active Committee member or their qualified representative can miss no more than two (2) consecutive scheduled Committee meetings.)

3.3 Election

Election of the Committee Chair shall take place at the regular committee meeting in March of each year. The Chairs shall be elected annually by the Committee members.

3.4 Vacancies

Vacancies of the Committee Chair shall be filled by a vote of the Committee members for the remainder of the unexpired term.

3.5 Duties of Officers

3.5.1 Coordinating Committee Chair

The Chair shall preside at all meetings of the Partnership and Coordinating Committee, sign the records thereof, and perform generally all the duties usuall incident to such office and such other and further duties as shall be from time to time required by the Partnership and Coordinating Committee.

3.5.2 Chairs of the Siting, Project, Outreach, and Resource Committees

These Chairs shall select among themselves a Chair Pro Tempore and perform all the duties of the Coordinating Committee Chair in case of the absence or disability of the latter, and shall also perform such other duties as shall be from time to time required of the Coordinating Committee Chair by the members. In addition, these chairpeople shall be responsible for submitting and attesting minutes and status reports of their respective committee meetings to the Coordinating Committee Chair within seven days following such meetings. In the event that all Committee Chairs are absent or unable to perform their duties, the members may, as the case may be, appoint a Chair Pro Tempore.

3.5.3 Secretary

The Secretary shall be appointed by the Coordinating Committee Chair, and shall be responsible for preparing and distributing all external communications of the Partnership. Such communications shall be reviewed and approved by the Chair

in advance of external distribution. The Secretary shall keep minutes of all Partnership and Coordinating Committee proceedings of the members and make a proper record of the same which shall be attested and submitted by the Secretary to the members of the Partnership and Coordinating Committee respectively, within seven (7) days following the meeting. The Secretary shall generally perform such other duties as may be required by the members. At the expiration of the term of office, the Secretary shall deliver all books, records, and property of the Partnership to the successor or to the Coordinating Committee.

Article 4 - Committees

It is anticipated that, from time to time, ad hoc committees and possibly other standing committees will be appointed and approved by the Coordinating Committee.

Article 5 - Meetings

5.1 Notice of Meetings

Notice of all Partnership meetings shall be given at least seven days before the date of such meeting to each member by mail or fax at their last known address, and all such notices shall state the time, place, and purpose of the meeting. Partnership and committee meetings should be held at a frequency to ensure schedules and goals of the Partnership are met, but not less than semi-annually for the Partnership and quarterly for committees. Any member may waive any notice required under these regulations, and by attendance at meetings, shall be deemed to have waived notice thereof.

5.2 Special Meetings

Special meetings may be called from time to time in accordance with Section 5.1, Notification above, exclusive of the seven day advance notice with the concurrence of the Coordinating Committee.

5.3 Quorum

A quorum shall consist of no less than ten (10) members for Partnership meetings, and three (3) members for committee meetings.

5.4 Method of Voting

Partnership decisions requiring membership input shall be made by majority vote and only by members each having one vote. Standing committees (Project, Resource, Siting, and Outreach Committees) shall vote on issues as necessary with majority vote ruling. An affirmative vote will require a corresponding recommendation to the Coordinating Committee, which shall in turn vote to accept or reject the Standing Committee recommendation with a majority vote ruling. Issues and recommendations brought before the Coordinating Committee which, in the Committee's opinion, requires a Partnership decision, shall be brought before the Partnership members for consensus.

5.5 Minutes

Minutes shall be recorded and voted on for approval in the next regular meeting. Minutes shall serve as an official record of the Partnership.

Article 6 - Miscellaneous

Article 7 - Amendment of Bylaws

These Bylaws may be amended, suspended, repealed, or superseded, in whole or in part, only by a majority vote of no less than two-thirds of the members.